



LAKE COUNTY BOARD OF HEALTH

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RESOLUTION

Lake County Board of Health

December 21, 2010

Standard Variance

Replacement Wastewater Treatment System within 100-year Floodplain

A resolution to allow for a standard variance from Lake County Wastewater Treatment System Regulations that may be administered by staff of the Environmental Health Department when specific criteria are met.

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**WHEREAS**, the Lake County Board of Health has authority under A.R.M. 17.36.922 Local Variances and Lake County Wastewater Treatment System Regulations to grant variances to the state minimum standards for on-site wastewater treatment systems, and

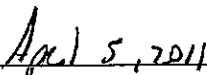
**WHEREAS**, there are certain re-occurring circumstances under which the Lake County Board of Health would grant a variance without the usual hearing being necessary or desirable;

### **NOW THEREFORE BE IT RESOLVED:**

That, effective this date, the Lake County Environmental Health Department may issue permits for replacement wastewater treatment systems within the 100-year floodplain that meet the following criteria:

1. The proposed wastewater system is a replacement for an existing discharging on-site wastewater treatment system.
2. No feasible or reasonable alternative exists to install a replacement wastewater treatment system that can comply with Lake County regulations regarding setback from the 100-year floodplain.
3. If any portion of the property is located outside the 100-year floodplain, all or a portion of the replacement system may be required to be located in that area.
4. The system design flow may not exceed 400gpd of residential strength wastewater and meets the non-significance requirements of the Montana Water Quality Act.
5. The drainfield meets all other wastewater treatment system separation distances as required by state law and Lake County regulations or other standard variances allowed by the Lake County Board of Health.
6. The property development will obtain any necessary floodplain permit from the Lake County Floodplain Administrator and will be constructed in compliance with the permit.
7. The Lake County Environmental Health Department reserves the right to require any system requiring a variance be heard before the Lake County Board of Health if it deems the site conditions or other circumstances warrant a full Board review.

  
Chairman  
Lake County Board of Health

  
Date